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ACRONYMS

ANL	Argonne National Laboratory
BES	Office of Basic Energy Sciences
BNL	Brookhaven National Laboratory
BSO	Berkeley Site Office
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CX	Categorical Exclusion
DOE	Department of Energy
EA	Environmental Assessment
EH	Office of Environment, Safety and Health
EIS	Environmental Impact Statement
ER	Office of Energy Research
ES&H	Environment, Safety and Health
FONSI	Finding of No Significant Impact
GC	Office of General Counsel
HQ	Headquarters
LANL	Los Alamos National Laboratory
LBNL	Lawrence Berkeley National Laboratory
M&O	Maintenance and Operations Contractor
NABIR	Natural and Accelerated Bioremediation Research Program
NCO	NEPA Compliance Officer
NEPA	National Environmental Policy Act
OAK	Oakland Operations Office
OBER	Office of Biological and Environmental Research
ORNL	Oak Ridge National Laboratory
PNNL	Pacific Northwest National Laboratory
TFTR	Tokamak Fusion Test Reactor
TPX	Tokamak Physics Experiment
TQM	Total Quality Management

I. INTRODUCTION

Purpose of the ER NEPA Program Summary

This report is the National Environmental Policy Act (NEPA) Program Summary for the Office of Energy Research (ER) NEPA Compliance Officer (NCO). It reviews and summarizes the ER NEPA program activities and accomplishments for calendar years 1995 and 1996. This Summary provides a status and assessment of ER's progress in continuous improvement in its NEPA services and products in 1995 and 1996, along with a discussion of observed trends during the period 1990-1996. It discusses areas for further improvement, anticipated actions, and future program direction. The NCO uses the Program Summary as a means of providing information, expressing concerns, identifying successes, and monitoring the outcome of ER's NEPA program. Many reports, NEPA guidance documents and procedures are discussed and cited throughout this Program Summary. Those that are not specifically cited in the text are included in Section VII -- References.

This Program Summary provides information and examples of ER's progress toward establishing excellence and improving its NEPA products and services in support of the Department's scientific research mission.

On July 20, 1993, the Secretary of Energy issued the "Environment, Safety and Health Policy for the Department of Energy Complex." In the transmittal memo, the Secretary called for "...periodic updates that include specific examples of progress toward establishment of daily excellence in worker, public and environmental protection as a hallmark of our activities." This Program Summary provides information and examples of ER's progress toward establishing excellence and improving its NEPA products and services in support of the Department's scientific research mission.

ER views the environmental impact assessment process as assisting the scientific mission of the Office.

Program Focus On November 13, 1992, ER issued a "Statement of Goals and Objectives for Adherence to the Principles of NEPA." The statement was aimed at improving environmental decision making within ER and it reiterated that ER views the environmental impact assessment process as assisting the scientific mission of the Office. Those goals and objectives continued to be a central focus of the ER NEPA Program during the reporting period. Additionally, the NEPA program responded to the publication of the “Energy Research Strategic Plan” in August 1995. Goal 7 of the Strategic Plan states that ER’s programs should not adversely affect the human environment, and that environment, safety and health operations should be visible and documented.

ER's NEPA Program continued to focus on customer needs, quality assurance and continuous improvement in the NEPA process. ER emphasized the identification of needs of ER field elements to support their delegation of authority for the environmental assessment (EA) process. In addition, ER program offices took a lead role in the development of NEPA documentation for

projects administered by DOE headquarters.

The priorities of ER's NEPA Program, customer needs, quality assurance and continuous improvement, were accomplished utilizing some of the principles of Total Quality Management (TQM), such as improved communications, training and workshops, issuance of guidance documents and procedures, and the continuation of the ER NCO Quality Awards program.

A significant component of ER's efforts to promote continuous improvement and to support delegated EA authority was the continued refinement and delivery of the EA Preparation Training Course for the Operations Offices that administer ER-sponsored research. The Course was updated to reflect changes in both Departmental and ER NEPA Program procedures and guidance. It is clear that the overall quality of EAs produced within ER improved as a result of these training courses.

Teamwork and TQM has enabled the ER/HQ NCO to coordinate resources in a positive and innovative way, resulting in problem resolution.

Resources The ER NEPA Program maintained its proactive stance due to the active participation of staff from ER/HQ, the Operations Offices, Area and Site Offices, and National Laboratories. On occasion, staff from the DOE Office of Environment, Safety and Health (EH) and the Office of General Counsel (GC) teamed with ER on specific tasks. The teamwork and TQM approach has enabled experienced staff from around the ER complex to combine resources for the common good. This has enabled the ER/HQ NCO to be able to coordinate these resources in a positive and innovative way, resulting in problem resolution. The ER Semiannual NEPA Workshops have been especially useful in this regard. The Program could take a proactive approach because of the availability of contractor support to assist the NCO with much of the technical work. In 1995 and 1996, this was especially true with respect to the development of new categorical exclusions (CXs) and with the refinement and delivery of the ER EA Preparation Training Course.

II. ER NEPA PRODUCTS and SERVICES

NEPA Processes In 1995 and 1996

EA preparation training was provided by the ER/HQ NCO to serve as a tool to assist field NCOs in addressing EA preparation issues affecting the quality of the documents produced.

EA Preparation Training Course The ER/HQ NCO continued to provide EA preparation training to support delegated authority. The contents of the course were periodically updated to reflect changes in NEPA policy including incorporation of pollution prevention and environmental justice elements within the course content. Changes to the procedural implementation of NEPA within the DOE were incorporated to reflect the Secretarial Policy Statement on NEPA issued in 1994. The course was provided by the ER/HQ NCO to serve as a tool to assist field NCOs in addressing EA preparation issues affecting

the quality of the documents produced. The delivery of the course continued to be based upon a request made by the field NCOs. The training course included a module on the NEPA procedures and expectations of the local Operations Office that was taught by the local Operations Office NCO. Course participants received a comprehensive training manual of information and resources, as well as a certificate of training from ER/HQ. Course evaluations were provided to each participant and the feedback received was used to make adjustments to the course so that it would continue to evolve and to address ER's NEPA needs.

During 1995, the course was delivered once at the Richland Operations Office in March 1995 with NCO Paul Dunigan providing instruction on the Richland NEPA procedures and expectations. In May 1996, the course was delivered at the Kirtland Area Office with Albuquerque Operations Office NCO Jeff Robbins providing instruction on the Albuquerque and Kirtland NEPA procedures and expectations. It has been observed that the quality of EAs has improved at sites where the course was given.

NEPA Documents Initiated In 1995 and 1996

Spallation Neutron Source (SNS) Environmental Impact Statement Determination A NEPA determination was made on February 6, 1995, by ER-1 that the SNS project fits the class of actions normally requiring the preparation of an Environmental Impact Statement (EIS) under Appendix D to Subpart D of 10 CFR 1021. The SNS is a high energy linear accelerator facility that is being proposed to meet the national and Department needs for neutron beams for research. The SNS facility would serve as a cornerstone for advanced research in neutron scattering into the next century. While the development of the SNS facility had not yet been officially approved or funded in 1995, it was determined to be appropriate (40 CFR 1508.23) to begin the NEPA process. This will enable the integration of the NEPA process with project planning and ensure that project planning and decisions reflect ER's commitment to environmental stewardship.

The ER/HQ NCO and ER support contractors provided assistance to the Oak Ridge Operations NDM for preparation of: an alternative sites analysis; preparation of the EIS Notice of Intent; and preparation of an EIS project management plan.

Natural and Accelerated Bioremediation Research (NABIR) Program Determination On October 15, 1996, ER-1 determined that a non-Subpart D Environmental Assessment (EA) should be prepared to support the Office of Biological and Environmental Research (OBER) in decision making. The NABIR program is a ten-year program to provide the scientific understanding needed to use natural processes for bioremediation of contaminated soils, sediments and groundwater at DOE sites. The EA will evaluate the implementation of the NABIR program including the process of soliciting scientific research and the selection of up to three Field Research Centers that would conduct the field testing phase of the program.

The ER/HQ NCO and ER support contractors provided additional support to OBER in

developing program planning, which further enabled the integration of the NEPA process with NABIR planning. Support was provided in areas of: FRC selection criteria development; input to the research funding proposal request announcement; and coordination and communication with DOE candidate locations to gather environmental information on the proposed FRC site alternatives for use in the EA.

Communications and Information Exchange

The ER/HQ NCO used various media to communicate within DOE in 1995 and 1996.

The ER/NCO used various media to communicate within DOE in 1995 and 1996. Communication increased the exchange of information, fostered issue resolution, documented Program activities, and increased Program visibility. This was accomplished to support the ER Strategic Plan's call for ES&H to be visible and documented (Goal 7), and for ER's activities, results and benefits to be widely known, valued and trusted (Goal 8).

1994 ER NEPA Program Summary The 1994 Program Summary, NCO Communication 95-03, was issued on October 12, 1995. It was transmitted from ER to EH for use in reporting to the Secretary of Energy on progress in environmental protection, as per the directions in the Secretary's June 20, 1993, ES&H Policy. The document also was provided to the Operations Offices, and Area Offices, the National Laboratories, and to the ER Program Offices in an effort to communicate ER's position on providing quality decision making documents and to stress the importance of the NEPA process as a tool for making informed environmental decisions.

Many of the ER NCO Communications are the result of workgroups commissioned by the participants of the ER Semiannual NEPA Workshops.

ER NCO Communication Series The ER NCO Communications series was initiated in 1992 to facilitate and catalog the issuance of guidance documents, procedures, lessons-learned studies, and other NEPA-related documents of broad interest to ER and its field elements. Many of these issuances are the result of workgroups commissioned by the participants of the ER Semiannual NEPA Workshops. This communications tool continued to be used during the reporting period with the issuance of the seven items listed in Table 1. For a complete listing of these ER NCO Communications and other ER NEPA-related documents for 1992-1996 see Appendix A.

Table 1 - Energy Research NCO Communications

ER NCO Communication Number and Date of Issuance	Document Title
95-01 April 5, 1995	"Definitions and Framework for Implementing Appendix B Generic and Consolidated Categorical Exclusions for the Office of Energy Research Activities."
95-02 May 5, 1995	"Office of Energy Research NEPA Compliance Officer Quality Awards 1995."
95-03 October 12, 1995	"National Environmental Policy Act Program Summary for 1994 and Status Report on Continuous Improvement in Energy Research NEPA Services and Products."
95-04 November 1995	"Environmental Assessment Preparation Training Course Brochure."
95-05 November 1995	"The Office of Energy Research's Results-Based Program for Achieving the Goals of the National Environmental Policy Act."
96-01 March 1996	"Office of Energy Research NEPA Compliance Officer Quality Award Criteria."
96-02 April 17, 1996	"Office of Energy Research NEPA Compliance Officer Quality Awards 1996."

ER's NEPA Workshops help to identify NEPA programmatic needs and potential mechanisms for the ER/HQ NCO to address those needs and support the Operations Offices.

Three Semiannual NEPA Workshops The ER/HQ NCO sponsored several NEPA Workshops that were held in conjunction with ER's Semiannual Environment, Safety and Health Coordination Meetings in Gaithersburg, Maryland. The Workshops were held in May 1995, April 1996 and November 1996, as part of a series of Workshops that began in November 1991. The Coordination Meetings and the NEPA Workshops are held to provide a forum for exchanging information, discussing and resolving ER's NEPA issues, and to focus on ER's continuous efforts to improve its NEPA products and services. The Meetings help identify NEPA programmatic needs of ER field elements and potential mechanisms for the ER/HQ NCO to address those needs and support the Operations Offices. Participants included representatives from the ER/HQ Program Offices, the Operations Offices, Site and Area Offices, National Laboratories, and support contractors.

The subject of the workshop held in May 1995, was continuous improvement in implementing

the requirements of NEPA. During this Workshop, the participants discussed the status of the new categorical exclusion package proposal that was prepared by the ER CX Workgroup and transmitted to EH. A group discussion was held concerning the issue of site-wide documents at ER sites. The ER Field NCOs at the meeting briefed the group on site-wide EIS issues at their respective sites. Mr. William Hasselkus of the Superconducting Supercollider (SSC) Project Office made a presentation to the group on NEPA issues during the termination of the SSC program. The final subject addressed during the workshop was a proposal to the participants that ER HQ conduct a study of observed versus predicted impacts. The goal of the study would be to determine the effectiveness of the NEPA documents prepared by ER in predicting potential environmental impacts. A working group was formed to consider the proposal and define the path forward. Ms. Donna Green of the DOE Argonne Area Office and Ms. Julie Mathiesen of Argonne National Laboratory (ANL) made a presentation on the results of efforts to streamline the NEPA process at ANL. This presentation was followed by a presentation by Ms.Yardena Mansoor from the DOE Office of NEPA Policy and Assistance (EH-42). Ms. Mansoor discussed the status of DOE Draft NEPA Order 491, which was revised to be NEPA Order 451.1. She highlighted the comments that had been received on the Order and the actions that were being taken to address them. This presentation was followed by a presentation by Dr. Bill Osburn of the OBER on DOE's Ecosystem Management Initiative. The Workshop concluded with presentations by Mr. Tom Sperry of Brookhaven National Laboratory (BNL) and Mr. Tony Adduci of Oakland Operations Office (OAK). Mr. Sperry made a presentation outlining the need for the establishment of a National Environmental Research Park at BNL. Mr. Adduci made a similar presentation for the Lawrence Livermore Laboratory Site 300. ER/HQ prepared and distributed the summaries of the May Coordination Meeting and the Workshops to participants in July 1995.

On April 17, 1996, the ER/HQ NCO sponsored a NEPA Workshop at the Ninth Semiannual ES&H Coordination Meeting. The Workshop, titled “NEPA-New Directions: Results and Outcomes,” focused on furthering ER’s program of continuous improvement in implementing the NEPA process and continuing the support of the Operations Office with delegated authority for approval of EAs. The first topic of discussion at the Workshop was NEPA process improvements. During this discussion, Mr. Paul Dunigan, Richland Operations Office NCO, and Mr. Ron Phillips, Pacific Northwest National Laboratory (PNNL), provided an overview of the streamlining process taking place at PNNL. Ms. Donna Green, Argonne Group, and Ms. Julie Mathiesen, ANL, provided information on the NEPA Process Improvement activities at Chicago Operations and ANL. Mr. Tony Adduci provided information on the cost savings realized by using the new CXs rather than preparing EAs, at the Oakland Operations Office. The second topic at the Workshop concerned issues and experiences with delegated EA authority. There was a panel discussion lead by the NCOs from the Operations Offices that administer ER-sponsored research activities. The Workshop concluded with an overview of the draft (now Final) amendments to the DOE NEPA regulations provided by John Pulliam, EH-42. ER/HQ prepared and distributed summaries of the April 1996 Coordination Meeting and Workshops to participants in June 1996.

On November 13, 1996, the ER/HQ NCO sponsored a NEPA Workshop at the Tenth Semiannual ES&H Coordination Meeting. The Workshop, titled "NEPA: Managing the Evolution," provided a forum for ER's NEPA professionals to share the products, services and techniques they had developed to address the issues surrounding delegated authority for EAs. There were several speakers who provided overviews of special projects and processes that have been developed. Mr. Ron Phillips and Mr. Kevin Selby, PNNL, demonstrated a NEPA database developed at PNNL. Mr. Tony Adduci, OAK, and Ms. Carol Kielusiak, Lawrence Berkeley National Laboratory (LBNL), provided an overview of the use of blanket CXs established at LBNL. Mr. Ron Phillips and Ms. Jill Engel, PNNL, provided an overview of how PNNL has integrated pollution prevention information into their NEPA documents. And finally, there was a panel discussion concerning the role of NEPA document managers and what additional information and training was needed to perform their jobs effectively and efficiently. ER/HQ prepared and distributed summaries of the November 1996 Coordination Meeting and Workshops to participants in January 1997.

ER/HQ NCO Visits ER's Sites and Facilities

The ER/HQ NCO took advantage of various mechanisms to visit ER field sites to gain familiarity with environmental conditions and issues and improve communications between the ER/HQ NCO and those who implement NEPA at the Operations Offices.

The ER/HQ NCO took advantage of various mechanisms to visit ER field sites to gain familiarity with environmental conditions and issues. The information gathered increased the effectiveness of the ER NEPA program, facilitated improved communications between the ER/HQ NCO and those who implement NEPA at the Operations Offices, and enabled the development of program guidance and training materials that are based on an understanding of ER's scientific research mission.

During 1995, the ER/HQ NCO made several site visits to ER facilities across the DOE complex. The visits were coordinated with delivery of the EA Preparation Training Course and through participation in the delivery of NEPA training by EH-42. The site visits continue to be a vital element of ER's goal of improved communications as identified in the ER 1992 NEPA Program Summary (ER NCO Com. 93-02). The ER/HQ NCO's site visits in 1995 included:

- Argonne National Laboratory -- January 1995 (during an ER Workshop hosted by DOE CH for developing new CXs in support of the NEPA Rule revision process)
- Pacific Northwest National Laboratory/Hanford Site -- March 1995 (during delivery of the ER EA Preparation Training course)
- Oak Ridge National Laboratory -- April 1995 (during participation in the delivery of the EH NEPA Training Course)
- Los Alamos National Laboratory -- September 1995 (during the DOE NCO meeting)
- National Renewable Energy Laboratory -- November 1995 (during the 1995 DOE

ES&H Forum)

In 1996, the ER NCO had the opportunity to visit three sites:

- Continuous Electron Beam Accelerator Facility (now the Thomas Jefferson National Accelerator Facility) -- February 1996 (during the onsite Institutional Plan Review)

- Sandia National Laboratory and the Inhalation and Toxicology Research Institute (now the Lovelace Biomedical Research Institute) -- May 1996 (during participation in the delivery of the ER EA Preparation Training Course)

- Oak Ridge Operations Office -- June 1996 (during planning meetings for the EIS on the SNS and for a tour of an OBER research project site)

Monthly NCO Conference Calls In 1996, the ER NCO established a monthly NCO conference call for all NCOs associated with ER activities. The calls provide an informal medium for the NCOs to share general information and keep each other up to date with NEPA activities throughout the DOE complex. The conference calls have also been used as a mechanism to discuss regulatory changes and for developing consistency in the procedural approaches throughout the ER community.

ER's NEPA Homepage ER continued to provide access to and update NEPA information on the World Wide Web. The ER NEPA compliance page on the World Wide Web is located at:

"http://www.er.doe.gov/production/esh/nepacomp.html"

The compliance page includes general information on ER's responsibilities and implementation of NEPA. It outlines NEPA guidance and procedures developed by ER, and is continuously updated to reflect program-specific and department-wide changes in the NEPA Program.

III. CONTINUOUS IMPROVEMENT IN ER NEPA PROGRAM

The availability of new categorical exclusions will streamline the NEPA process for ER, saving both time and money.

ER's CXs Included in the Final Rule In response to a request from the Office of NEPA Policy and Assistance for modified or new CX proposals to support a pending revision to the DOE NEPA Rule (10 CFR 1021), an ER Working Group was formed. The focus of the Working Group was to develop proposed CXs for ER and to address some implementation issues associated with the use of CXs
across the ER complex. A Workshop was held on January 26, 1995 at ANL. Representatives from the Chicago and Oakland Operations Offices; the Argonne, Batavia, and Princeton Area Offices; ANL, BNL, and LBNL, and from ER HQ attended the Workshop. During the

Workshop, the participants reached an agreement on the scope and content of an ER proposal for four new CXs, based on ER's experience with EAs and Findings of No Significant Impact (FONSI) over the past several years. DOE published the NEPA Procedures Final Rule on July 9, 1996. On August 8, 1996, the Department's amended NEPA regulations became effective. Included in the Final Rule where three of the CXs proposed by ER, as well as other ER proposed CXs that were combined with existing CXs. The new CXs specific to ER include: one related to the siting, operations, and modification of particle and electron accelerators (B3.10); one related to biomedical diagnostic, treatment and research facilities (B3.12); and one for the onsite relocation of laboratory equipment (B1.31). Additionally, the new regulation provided expanded and revised CXs for field and laboratory research (B3.3), indoor bench-scale research and small R&D projects (B3.6), and routine maintenance activities (B1.3).

At the November 1996 ES&H Coordination Meeting's NEPA Workshop it was acknowledged by the participating NCOs that the CXs have assisted in streamlining the NEPA process, saving both time and money. In addition, a brief presentation on "Lessons Learned in the NEPA Process" was provided at the meeting. This presentation provided specific examples of cost savings realized by the use of the new CXs. Oakland Operations Office saved approximately $59,000 by using the CX for biomedical research (B3.12). While preparation and completion of this CX cost approximately $500 to $1,000; it would have cost $20,000 to $50,000 to prepare an EA (Dyson, 1996).

ER's NEPA Guidance To ensure continuous improvement in ER's NEPA Program, the ER/HQ NCO coordinated the development and issuance of guidance concerning the use of CXs to the ER Program Offices, Operations Offices, and National Laboratories throughout the ER complex.

Definition and Framework for Categorical Exclusions (NCO Comm. 95-01) - During the 1994 Semiannual Coordination Meeting, the NEPA Workshop participants agreed that guidance on the definition and use of Appendix B generic and consolidated CXs was needed. To address this need, a Workgroup was formed representing the various elements within the ER NEPA community. On January 26, 1995 the Workgroup met at ANL to develop an ER-wide framework for the use of these CXs. The Workshop was followed by two conference calls to refine the guidance. These efforts resulted in agreements on the working definition of "generic" and "consolidated" CXs as well as a framework for their implementation. ER NCO Communication 95-01 was distributed on April 5, 1995 and contained guidance on the use of these CXs within ER. An example of the successful use of the guidance was by OAK. ER's guidance was implemented and OAK realized significant savings in time and dollars., as discussed in the section above.

IV. ER NEPA ACTIVITIES

Support to the Office of Basic Energy Sciences/ Oak Ridge Operations Office

In January 1996, Oak Ridge Operations Office and ER's Office of Basic Energy Sciences (BES) requested support from the ER/NCO and the ER support contractor for the SNS EIS project. In

the course of the year, the ER/NCO and the ER support contractor assisted Oak Ridge in the development of several planning documents, as well as with internal scoping. Specific documents that were provided to Oak Ridge Operations Office and to BES included: an Alternate Site Selection Report; a NEPA Issues Analysis; a draft Notice of Intent to Prepare an EIS; and a draft Implementation Plan/Management Plan. Other areas where the ER NCO provided assistance to Oak Ridge and BES included: developing a list of tasks to be completed prior to awarding the EIS contract; assisting in the development of the NEPA strategy for conducting public meetings; evaluating environmental justice guidance for inclusion in the EIS; and supporting Oak Ridge and BES personnel in meetings with the EH and GC.

Support to the Chicago Operations Office

The ER NCO supported the Chicago Operations NCO in the review of the ANL Wildlife Management Program EA. The document was prepared by the U.S. Department of Agriculture and adopted by DOE. The document was developed to evaluate the numerous wildlife management options that could be implemented at ANL. The information provided in the EA assisted Chicago Operations Office management with decisions concerning the appropriate management of wildlife at ANL.

Support to the Oakland Operations Office - Disposition of the Remaining Bevelac Shielding Block at LBNL EA Internal Scoping Exercise

The internal scoping exercise conducted prior to development of an EA demonstrated the effectiveness that scoping can have on the success of a NEPA document.

The ER NCO provided support to the Oakland Operations Office during the internal scoping exercise. The internal scoping exercise conducted prior to development of an EA for this action demonstrated the effectiveness that scoping can have on the success of a NEPA document. During August 1995, the ER/HQ NCO assisted the OAK NCO in coordinating and facilitating a conference call to develop an outline of the scope and content for a planned EA. The EA was to address the disposition of the remaining shielding block at the Bevelac facility at LBNL. Representatives from ER/HQ, OAK, Berkeley Site Office (BSO), LBNL, and the Office of NEPA Policy and Assistance participated in the scoping session. The session resulted in the identification of five potential alternatives including the no-action alternative. The internal scoping session resulted in the identification of alternatives to support the preparation of a quality EA, which provides the necessary environmental information to support an informed decision.

Participation in Intra-Office NEPA The ER/HQ NCO and ER support service contractors participated in a NEPA 25th Anniversary Conference sponsored by DOE and the Council on Environmental Quality (CEQ) and an NCO Meeting sponsored by EH in September 1995.

In February 1995, ER nominated the "Berkeley Copper Recycling Environmental Assessment Team" for the DOE NEPA Team Award, sponsored by EH, for the production of a quality EA

that contributed significantly to effective planning. The team consisted of environmental professionals from ER; EH; the Oakland Operations Office; the Berkeley Site Office; and the LBNL M&O contractor. The EA and FONSI completed in 1994 by the team resulted in the recycling of the copper material for unrestricted use in accordance with DOE Order 5400.5. The recycling of the material also resulted in disposal cost savings of $235,000 to the Department and made more than $200,000 in funds available for the Advanced Light Source program at LBNL.

In April 1995, at the request of the Office of NEPA Policy and Assistance, the ER NCO participated in a NEPA Training course held at Oak Ridge National Laboratory (ORNL). ER provided support to EH in presenting their NEPA course to many 100 DOE and contractor personnel at the Laboratory. Elements from ER's EA Preparation Course were incorporated into the EH Training Course.

While the federal budget impasse resulted in a cancellation of the November 1995 DOE ES&H Forum in Denver, the ER NCO attended the preliminary meetings that were held which addressed NEPA topics. The ER NCO was scheduled to present a paper entitled "The Office of Energy Research's Results-Based Program for Achieving the Goals of the National Environmental Policy Act." The paper described ER's NEPA Program and its focus on quality and continuous improvement.

V. AWARDS AND RECOGNITION

The ER NCO Quality Awards Program

The NCO Quality Awards Program recognizes the achievements of Energy Research Headquarters, Field, and Laboratory personnel in improving the NEPA process and achieving the goals of the Act.

The NCO Quality Awards Program recognizes the achievements of Energy Research Headquarters, Field, and Laboratory personnel in improving the NEPA process and achieving the goals of the Act. The criteria for receiving the various awards were published in NCO Communication 96-01. Dr. Martha Krebs, Director of Energy Research, presented the Awards at the ER Semiannual ES&H Coordination meetings held in May 1995 and April 1996.

Quality Award for Environmental Planning The 1995 ER NCO Quality Award for Environmental Planning through the NEPA process was presented to the project team for the Main Injector Project of Fermi National Accelerator Laboratory (Fermilab) for their project planning and commitment to wetlands mitigation and replacement. Construction of the Main Injector required the taking of 5.7 acres of wetlands, the loss of which was mitigated by a replacement of 8.55 acres of wetlands in the same watershed of Indian Creek. The wetlands mitigation project was thoughtfully planned and implemented and has a good probability of long term success. Fermilab engaged in a five-year monitoring program under an Army Corps of Engineers permit in order to document the status of the wetlands project. Prior to construction, the proposed wetlands initiative was evaluated via a rigorous process that included: a Floodplain

and Wetland Assessment incorporated into the EA for the "Proposed Fermilab Upgrade Main Injector Project", DOE/EA-0543, (1992); a Proposed Finding of No Significant Impact (FONSI) published for public comment in the Federal Register; a FONSI published in the Federal Register that incorporated the Floodplain and Wetland Statement of Findings; and a Mitigation Action Plan to track the mitigation commitments. These actions are excellent examples of integrating program, project, and environmental considerations that achieve the planning and decisionmaking objectives of the CEQ regulations and the environmental stewardship goals of the NEPA.

Quality Award for the Production of Quality NEPA Documents The 1995 ER NCO Quality Award for the preparation of quality NEPA documents was presented to Jerry Levine of Princeton Plasma Physics Laboratory (PPPL). Mr. Levine managed and coordinated the preparation of several technically complex NEPA documents for ER projects at the Laboratory including the "EA for the Tokamak Fusion Test Reactor(TFTR) D-T Modifications and Operations," DOE/EA-0566, (1992); the "Supplemental Analysis of the Environmental Effects of Certain Changes to the TFTR D-T Modifications and Operations," (1993); and the "EA for the TFTR Decontamination and Decommissioning Project and the Tokamak Physics Experiment (TPX)," DOE/EA-0813 (1994). DOE/EA-0813 combined two separate but connected actions (TFTR shutdown and removal, plus the construction and operation of the new TPX) into one NEPA document. These documents assisted ER in evaluating new research initiatives that included the consideration of waste minimization, the reduction of waste shipments offsite, the onsite recycling of materials, the reuse of older facilities for new research projects, and the reduction of risks to onsite workers and the public. Mr. Levine's managerial skills, technical input, and attention to detail enabled the successful completion of these documents and their use as a service by the Department's decision makers and by the public. Mr. Levine also has led efforts at PPPL to devise a comprehensive NEPA review procedure for the Laboratory that has promoted environmental awareness among Laboratory staff, and stressed the importance of incorporating environmental values in the decisionmaking process for proposed actions. These documentation and procedural services developed through Mr. Levine's leadership have resulted in assisting the Department in achieving the environmental stewardship goals of the NEPA.

Quality Awards for NEPA Process Improvement The 1995 ER NCO Quality Awards for NEPA Process Improvement were presented to Gregory J. Mallon and Emily F. Dyson of Roy F. Weston, Inc., and to Barry S. Parks, U.S. Department of Energy (ER-8), for developing an EA Preparation Training Course along with a companion training manual, and for assisting the ER/HQ NCO in providing the training for four of the Operations Offices that administer ER-funded projects and programs. The training course was developed from a lessons learned study prepared for the ER/HQ NCO by Roy F. Weston, Inc., on the ER EA process. The lessons learned study and the training course have provided substantial assistance to the Operations Offices in their implementation of delegated approval authority for EAs. The training enabled the Operations Offices and ER to cooperative in planning the course content and in presentation of the course material at the Operations Offices. The course created opportunities for ER/HQ

personnel to visit the National Laboratories and to become familiar with environmental conditions and the natural history of several sites, as a lead-in to teaching about environmental impact assessment.

Quality Awards for NEPA Process Improvement The 1996 ER NCO Quality Awards for NEPA Process Improvement were presented to 13 members of the ER CX Task Group. The Task Group worked for more than one year and consisted of staff from ER/HQ and its support contractors, two Operations Offices, three Site Offices, and four National Laboratories. The Task Group developed new procedures to streamline the CX process by agreeing on the working definitions of "generic" and "consolidated" CXs, as well as a framework for the implementation by the Operations Offices and Laboratories. These procedures were issued as ER NCO Communication 95-01 on April 5, 1995. The Task Group also assisted ER in preparing four new proposed CXs for inclusion in the revised DOE Draft NEPA regulations. The availability of new CXs has streamlined the NEPA process for Energy Research, saving both time and money. The Task Group members receiving the awards were: Caryle Miller and John Yates,ER; Emily Dyson, Roy F. Weston, Inc.; Vicki Prouty and W. Sedgefield White, Chicago Operations Office; Donna Green, Argonne Group; Julie Mathiesen, ANL; Jon Cooper, Fermi Group; Rod Walton, Fermilab; Anthony Adduci, Oakland Operations Office; Carol Kielusiak, LBNL.

Quality Award for Sustained NEPA Leadership The ER 1996 Quality Award for Sustained NEPA Leadership was presented to William S. Osburn of the U.S. Department of Energy. Dr. Osburn has had a long and distinguished career in ecological research related to energy production and use with DOE and its predecessor agencies. Dr. Osburn has supported and implemented the purposed and goals of the NEPA through his work which has enriched the understanding of the ecological systems and natural resources important to the United States. Dr. Osburn played an integral role in the establishment of the Department's National Environmental Research Park Program and its seven ecosystem sanctuaries during the 1970s. Dr. Osburn has assisted ER with the planning and review of several NEPA documents for new research projects. The NEPA program of ER has benefitted measurably and maintained an environmental focus due to the wise counsel and advice from Dr. Osburn.

Quality Award for Successfully Implementing Delegated Authority The ER 1996 Quality Award for Successfully Implementing Delegated Authority was presented to Paul F.X. Dunigan, Jr. of Richland Operations Office. As NCO for Richland Operations, Mr. Dunigan provides the leadership and direction that has resulted in a model program of successfully implementing delegated authority for approval of EAs and issuance of FONSIs for ER actions at PNNL. An important part of this implementation is the threshold determination of environmental impact that is coordinated among the EA stakeholders by Mr. Dunigan. This process ensures that the EAs are used for their design purpose of determining the need for an Environmental Impact Statement. Mr. Dunigan also has led a multifaceted effort at Richland Operations and PNNL to streamline and standardize the NEPA process by providing training for Department and Laboratory personnel, by developing a standard EA outline, and by evaluating multiple related

actions in single generic and bench scale CXs. All of Mr. Dunigan's efforts have assisted Energy Research and the Department in achieving the environmental stewardship goals of the NEPA.

Visibility and Recognition

The ER NEPA program received visibility beyond ER by the publication throughout DOE of the results of the program's activities in a variety of print media. ER continues to enable, support, and make public ER's NEPA program results and successes in support of the ER Strategic Plan. Examples published during 1995 and 1996 are briefly described below.

- "*ER News*," February 1995: an article entitled, "Save Our Copper," that summarized Office of Basic Energy Sciences and Lawrence Berkeley National Laboratory's project that successfully recycled 140 metric tons of excess copper rather than to declare it waste for disposal. This project was supported by a precedent setting EA in 1994.

- "*FermiNews*," May 1996: an article entitled, "Walton Receives DOE Environment Award," highlighted Dr. Rod Walton and his participation on the Energy Research CX Task Group.

- "*DOE This Month*," June 1996: an article entitled, "Energy Research honors strides in NEPA process improvement," summarized the 1996 ER NCO Quality Awards.

- "*Synergy*," Summer 1996: an article entitled, "ER Presents National Environmental Policy Act Award", summarized the 1996 ER NEPA Compliance Officer Quality Awards.

Outstanding Partner Award

In February 1996, the ER NCO was presented with the, "Chicago Operations Office's Outstanding Partner Award." The NCO was nominated for the recognition by Chicago's Fermi Group for his key role in coordinating the development of a new CX for particle acclerators in the DOE NEPA Regulations.

Departmental Honor Roll Award

ER's NEPA program was recognized in 1996 by the Secretary of Energy. On July 1, 1996, ER was presented with a Certificate of Honor for its, "innovative efforts in helping the Department demonstrate excellence in the protection of our work force, the public and the environment." The certificate was awarded following a submittal by the ER NCO of a paper entitled, "The ER's Proactive Program for Implementing the National Environmental Policy Act Process and for Continuous Improvement in its NEPA Products and Services." This document summarized the

ER NEPA program.

VI. SUMMARY OF OBSERVATIONS AND PROGRAM DIRECTION

1995 and 1996 marked the fourth and fifth full years of the ER NEPA Quality Program. This Program Summary describes the Energy Research NEPA activities for the calender years 1995 and 1996, while also addressing the mission and future direction beyond 1996.

Continuing Mission & Program Direction

In 1995, Energy Research issued its "ES&H Policy Statement" that emphasized ER's prevention philosophy in promoting ES&H and ER's proactive approach in preventing or eliminating hazards and environmental impacts. In August 1995, the "Energy Research Strategic Plan" (DOE/ER-0656) was issued which has as a goal the sustained "protection of the environment and the health and safety of workers an the public" (Goal 7). A continuing goal of the ER NEPA program is to support both the ER ES&H Policy and the ER Strategic Plan.

ER utilizes three fundamental tenets: excellence; relevance; and stewardship. This stewardship of excellent and relevant science includes ensuring that the research activities are protective of the environment and health and safety of the workers and the public.

ER utilizes three fundamental tenets (or business drivers) in its mission of enabling excellent science. The first is tenet is *excellence*, which involves adhering to the principle that the scientific research ER sponsors should be excellent, at the cutting edge, and lead to significant new technologies and insights. The second tenet is *relevance*, which states that the science should be of national importance and relevant to the nation's energy needs. The third tenet is *stewardship*, which involves ensuring that there are stable, essential scientific communities, facilities, and institutions. This stewardship of excellent and relevant science includes ensuring that the research activities are protective of the environment and the health and safety of the workers (i.e., the scientific community) and the public. The ER NEPA program is a part of the stewardship of the community, facilities, and institutions supported by ER.

Observations

1995 marked the first full year of operations under delegated EA and FONSI approval authority by ER and the four Operations Offices that administer ER-sponsored research (Chicago, Oakland, Oak Ridge, Richland). The delegation of authority that was granted during latter 1994, and the initial ER/HQ efforts to support it in the field, are discussed in the 1994 ER Program Summary (ER NCO Comm. 95-03). The observation in 1994 that implementation of delegated authority by the four Operations Offices is vigorous and successful remained valid for 1995 and 1996. The Operations Offices and ER/HQ worked together on several initiatives in support of

delegation including EA training, new procedures for CXs, new CX proposals for DOE rulemaking, and improved communications.

The use of EAs to support ER decisionmaking in 1995-1996 continued the trend of the last several years. During the period 1990-1996, 50 FONSIs were issued for ER project proposals based on 50 completed EAs. Eleven EAs and FONSIs were completed in 1995, while one EA and one supplemental analysis were completed in 1996. Additionally, prior to 1990, EAs and FONSIs were prepared for two facilities: the Continuous Electron Beam Accelerator Facility in 1987; and the Advanced Light Source at Lawrence Berkeley National Laboratory in 1989. Energy Research continues to rely on the Operations Offices' delegated authority and responsibility for the use of EAs in determining the need for EISs, as well as for issuing FONSIs when they are appropriate.

Program Direction

Continued Support and Assistance to Operations Offices. During latter 1996 and early 1997, ER undertook a management and organizational study of its environment, safety and health functions at HQ. That study described five components of the ER HQ ES&H organizational function, all of which apply to the ER NEPA program function and the work of the ER NCO: (1) serve as an ES&H advisor to the Director of ER (i.e., ER-1); (2) serve as the ER corporate focal point for NEPA and serve as the ER liaison with other DOE organizations (i.e., other program offices, EH, and GC) in NEPA matters; (3) provide technical support to the ER HQ program offices (and to other ER entities) in implementing NEPA; (4) assist ER (and DOE) in policy development and interpretation with respect to NEPA; and (5) maintain an operational awareness of the implementation of NEPA at ER's field facilities and the Operations Offices. The ER HQ NEPA program will continue, within its means, to provide technical support and assistance to the Operations Offices in their conduct of the NEPA process for ER sponsored proposals and activities, as one way of implementing the five functions described above.

Communications and Customer Focus. The ER HQ NCO will continue to coordinate the development of procedures and other issuances that will assist ER and its field elements with the implementation of NEPA's procedural provisions and with the achievement of NEPA's goals and objectives. The ER NEPA Workshops will continue to be used as a primary mechanism for performing this service. Communications in the form the monthly conference calls among the ER and Operations Office NCOs will be continued to facilitate information exchange and teamwork. These calls are held routinely on the first Thursday of each month at 2;30 pm, est. NEPA news items of interest will continue to be placed into the ER "ES&H Update" for distribution to the ER community. The "Update" is compiled approximately quarterly and is available both electronically and on the ER-80 Home Page. The ER NEPA web site also will be updated periodically to facilitate information exchange. The web site contains a description of the ER NEPA program, copies of recent guidance issuances and program summaries, and a description of the ER NCO Quality Awards Program. As opportunities for business travel

appear, the ER NCO will take the opportunity to visit ER's laboratories and field offices in order to facilitate communications and to remain operationally aware of the implementation of NEPA and the current related issues.

Teamwork has been a hallmark of the ER NEPA community of HQ, Operations Office, Site and Group Offices, and National Laboratories over the past six years. A team approach to problem identification and resolution has resulted in many joint initiatives among ER and the field that have contributed to improved efficiency, cost savings, and new approaches in implementing NEPA's procedural provisions. In order to continue this successful approach to ER's NEPA business, the ER NCO will initiate a brief survey of ER's NEPA community in order to solicit ideas and suggestions for both new initiatives and areas where the field needs ER HQ assistance. This may be done, in part, in association with future ER NEPA Workshops.

Effects of Delegation and Need for Vigor in Communications. ER supported the delegation of EA authority to the Operations Offices and continues its endeavor to assist the field in its implementation. One of the effects that delegated authority to the field has had on ER/HQ is that it has become more difficult for the ER NCO to keep abreast of the NEPA work in the field. Prior to delegation, all of the EAs prepared on behalf of ER by the field were reviewed and championed by the ER NCO. This permitted the NCO to have a broad overview of ER's implementation of the EA piece of NEPA on a nationwide scale (i.e., "operational awareness" of NEPA at all four Operations Offices and at all of the ER research labs). This enabled a robust lessons-learned program, the development of guidance and training, and a continual influx of issues in need of coordination and resolution, along with ideas for doing so. With delegation, therefore, it is becoming a bit more difficult to keep abreast of NEPA work across the ER complex and to be in a position to perform a lessons-learned mission and service. Operational awareness of NEPA implementation requires continued coordination and communication among ER HQ, the Operations Offices, and the National Labs. Communications will continue to be a priority activity of the ER NCO.

Communications will continue to be a priority activity of the ER NCO.

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Appendix A

Office of Energy Research

National Environmental Policy Act Policy and Guidance for Implementation of NEPA's Procedural Provisions and for Continuous Improvement in Energy Research's NEPA Products and Services

1992 - 1996

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